A 38

File No. 122/35
19

Collection No.

JJP 2-7-47

Mysore Residency.

Bangalore.

See 2171913, dealing with Police

Pros. Serial Nos. 1-18

Subject.

Accomodation for the adolescent offenders of the Cantonment of Bangalore in Borstal Schools of the Madras Presidency.—

Powers of the Municipal Magistrate, Cantonment under the Borstal Schools Act. (S. R. 16).

Previous References.

494/34

Indexed

Later References.

Rdis 735-38.

A. 13/11/45 Ad. 27/11

NOTES AND PRECIS.

Dy. No. 2691 S.N.3

The Resident has decided that the provisions of the Borstal Schools Act, 1925, which has been applied to the Station, should be used for the direct admission of the adolescent offenders into Borstal Schools. The District Magistrate has now reported the average number of persons for whom accommodation will be required. The Govt. of Madras may be addressed on the question of accommodation and cost. A draft is submitted.

The information furnished by the District Magistrate is not sufficient to effect a comparison between the expenditure incurred under the jail system on adolescent offenders and the experditure which will have to be incurred on them under the Borstal Schools system. If 50 persons are sentenced to jail every year, the expenditure obviously is cumulative and to estimate the total liability under the jail system it becomes necessary to know also the term of imprisonment to which each adolescent is sentenced. The District Magistrate may be asked to furnish the details asked for ~~xxx~~ in the draft (II) put up.

28/3.

29.3.35.

S. N. (4 + 5) Issue.

The Govt. of Madras have now agreed to admit adolescent offenders of the C. & M. Station in ~~the~~ Borstal schools ~~in the Madras~~ in the Madras Presidency preferably in the one at Palamcottah where a trained Kanarese teacher is available and where the cost of maintenance of pupils is also lower than elsewhere i.e., only Rs.229-4 per head per annum.

A statement is placed below showing the average number of adolescent offenders who might require accommodation in a year based on the number of offenders of this class convicted during the last 5 years and the comparative cost involved both under the existing Jail system and the proposed Borstal school system for detention for a minimum period of 2 years and for a maximum period of 5 years. The average number (50) of offenders requiring accommodation furnished by the District Magistrate in the letter at S.N.3 appears to be an over-estimate, the average number on the basis of the statement furnished with the P.U.C. (S.N. 8) being only 35. During the last 5 years there was not one case in which an adolescent offender was sentenced to imprisonment for more than 2 years which is the minimum period fixed under the Act for Borstal school training. It is very unlikely therefore that the maximum period of 5 years Borstal training fixed under the Act will be required in any case. The estimate of expenditure based on a five years course of training is therefore the very maximum which could only be reached in the most unlikely event of the entire batch of offenders sentenced to Borstal school training during a period of 5 years are all required to undergo the maximum period of detention permissible under the Act. It is almost certain therefore that the figure of Rs. ~~1,20,376/-~~ 40,128/-

will not be reached but that the expenditure will remain at about the minimum of Rs ~~24,075~~ 16,051/- or slightly above it.

The additional expenditure will be an additional charge upon the A.T.Revenues and it will have to be met in the same manner as that indicated in para 66 of notes in File 1018/34 for meeting the additional expenditure on account of juveniles undergoing certified school training.

The Govt, of Madras and the District Magistrate may now be informed that the Resident has accepted the offer of the Govt. of Madras for the accommodation of ~~the~~ adolescent offenders of the Station in ~~the~~ Borstal School at Palamcottah subject to the approval of the Govt of India to the financial arrangements involved.

Assuming that the arrangements will come into effect from the 1st Nov. the additional expenditure which will be incurred, for which provision will have to be made in the current year is Rs. ~~1150~~ 920 or Rs. 1000/- in round figures./- If this amount cannot be found by re-appropriation, additional allotment will be asked for when submitting excess and savings statement to the Govt. of India.

Two drafts - one to the Govt. of India and the other to the Govt. of Madras-are submitted

lle
18/7.

(? ... Para 6)

Sec.

Lowe
7.8.35

Ref.

D. no. 6387 & 6950. S. N. 9 & 20.
S. N(11&12) Lowe.

14 No provision has been made in the budget proposals for 1936-37 submitted to the Govt. of India for expenditure on this account. The amount which might be required will not exceed Rs.4300/- The District Magistrate may be asked to submit reappropriation statement in due course or to include the item in the statement of excess and savings for next year.

15 The amount of expenditure estimated in the current year is about Rs.1,000/- This amount may be found by reappropriation.

16 The Munsif Magistrate was authorised to try offences under the Children Act. He may similarly be empowered to try also offences under the Borstal Schools Act.

17 Three drafts -

(1) to the Govt. of Madras communicating the Govt. of India 's acceptance of the proposals

(2) empowering the Munsif Magistrate to try offences under the Act and

(3) directing the removal of offenders to the Borstal School at Palamcottah

are submitted.

6/xi

(Rem No. 14)

15.11.35

S.N.(15-17) issue. 16/11/35

Supt. R.O. II and Budget clerk kindly to note paras 8, 10, 14 & 15 ante.

CORRESPONDENCE.

S. No 4 1

DEPARTMENT. File No.

BRANCH. Serial No

Draft I

Issued 14/1/35

Draft

Letter
~~Memorandum~~
~~Telegram~~

~~Class~~ for telegrams

Ordinary
Express
Urgent*
Priority
Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

No. F. 122/35 Dated 19th January 1935.

R.O. I

To

The District Magistrate,
C. & M. Station, Bangalore.

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	
Heading :	
Case or Diary No.	
If post copy of telegram required	
Date of despatch of above	
List of enclosures	

(Code word for telegrams.)

Accomodation of the adolescent offender of the C. & M. Station of Bangalore in Borstal Schools in the Madras Presidency.

Sir,

I am directed to refer to ~~the~~ Residency Notification No. 1, dated the 5th Jan. 1935, regarding the application of the Madras Borstal Schools Act, 1925, (Madras Act No. V of 1926), to the C. & M. Station of Bangalore, and to request that this Residency may kindly be furnished with information as to the number (on a five years average) of adolescent offenders as defined in section 2(1) of the Act, in the Station who may require accomodation in Borstal schools and the annual average expenditure incurred at present on the maintenance of such offenders in jails.

Detention in Borstal Schools will be for a period of not less than 2 years and not more than 5 years.

I have etc.,

Secretary to the Resident.

* " Any person who has been convicted of any offence punishable with imprisonment or who having been ordered to give security under sec, 118 of the Code of Cr. Procedure has failed to do so and who at the time of such conviction or failure to give security is not less than 16 nor more than 21 years of age".

S. 5.
MGIPC—S1—768(GI)DCF—(G-348)—11-7-29—50,000 Pads.

No. 387-C-35. Encl S.N.3

Office of the District Magistrate,
Civil and Military Station, Bangalore.

Dated 13th March 1935.

From

L.J.MacIver, Esq., M.A., I.C.S.,
District Magistrate, Civil and Military Station,
BANGALORE,

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
16 MAR. 1935
Read No. 2691
F. No. 122/35

The Secretary to the Resident in Mysore,
Bangalore.

Sir,

Accommodation of the adolescent offenders of the C. & M. Station of Bangalore in Borstal Schools in the Madras Presidency - your letter No.F.122-35/R.O.1 dated 19th January 1935.

The number (on a five years average) of adolescent offenders that would have to be admitted each year in Borstal Schools is 50.

As regards the cost of maintenance of such offenders, I enclose extract of letter No.458/F45 dated 9-3-1935 received from the Superintendent, Central Jail, Bangalore City. No such offenders are reported to be undergoing imprisonment at present in Madras Jails.

I have the honour to be,
Sir,
Your most obedient servant,

SPARE COPY
14 MAR. 1935

DISTRICT MAGISTRATE.

Letter General No. 458/F45 dated the 9th March 1935 from the Superintendent, Central Jail, Bangalore, to the District Magistrate C. & M. Station, Bangalore.

With reference to your letter No.387-C.35 dated 6th March 1935, I have the honour to state that the cost of maintenance of adolescent prisoners of Civil and Military Station, Bangalore, on a five years' average is Rs.123-6-1 per head per annum. No separate account is maintained for calculating expenditure on adolescent prisoners only.

x x x x

x x x x

"Extract"

13.3

Sheristadar.

S. N. 4.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.122-35
R.O.I.

Issued 2.4.35

FROM

Major C.G.N. Edwards, I.A.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of Madras,
Law and Education Department.

Dated Bangalore, 2nd April *193* 5.

Subject.

Accommodation of the adolescent offenders of the Civil and Military Station of Bangalore in the Borstal Schools in the Madras Presidency.

.....

SIR,

I am directed to refer to Notification of the Gove of India, Foreign and Political Department, No.614-I-B, dat 28th November 1934, applying the Madras Borstal Schools Act, 1925, to the Civil and Military Station of Bangalore, a copy of which was forwarded to you with this Residency letter No.F.1018/34, dated the 5th January 1935. It is estimated that on a five years average about fifty adolescent offenders from the Civil and Military Station of Bangalore will have to be admitted every year into Borstal Schools if the Act is to be used for the direct admission of such offenders into these schools. I am therefore to enquire whether the Government of Madras will be able to provide accommodation for that number in the Borstal Schools in the Presidency and if so, what the estimated cost of their accommodation and training will be.

I have the honour to be,
Sir,
Your most obedient servant,

o/c. 2/4.

SECRETARY TO THE RESIDENT.

PKH
1.4.

S. N. 5

5

. DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter ~~Memorandum~~ ~~Telegram~~

Class for telegrams | Ordinary | Express | Urgent* | Priority | Clear Line† | *Only for Foreign Telegrams. | †Not for Foreign Telegrams.

No. F. 122/35 Dated 2/4/ ~~March~~ 1935

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams:)

To

The District Magistrate,
C. & M. Station, Bangalore.

Subject:- Accomodation of the adolescent offenders of the C. & M. Station in Borstal schools.

Sir,

With reference to the correspondence ending with your letter No. 337-C-35, dated the 13th March 1935, I am directed to request you to be so good as to furnish the following ~~further~~ information:-

(1) The number of persons between the ages of 16 and 21 (both inclusive) sentenced to imprisonment during the last five years and

(2) the term of ~~xxxxxx~~ imprisonment undergone by each such person.

I have etc.,

29/3

Secretary.

S. 5.
MGIPC—S1—158(Genl)MFP—(M-1933)—3-5-34—50,000 Pads.

S.N.6

Law (General) Department.

No.1942 MS.

From

C. Govindan Nair Esquire, Bar-at-Law,

Joint Secretary to the Government of Madras,

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
11 JUNE 1935
Regd. No. 5697
File. No. 1316

To

The Secretary to the Hon'ble the Resident in Mysore.

Dated Fort St.George, the 8th June 1935.

Sir,

Detention in the Madras Presidency of adolescent offenders of the Civil and Military station, Bangalore Ref. Letter No.F.122-35/R.O.I, dated 2nd April 1935.

I am directed to say that arrangements can be made for the detention of adolescent offenders of the Civil and Military Station, Bangalore in the Borstal Schools in this Presidency preferably in the School at Palamcottah, where there is a trained Kanarese teacher.

2. As regards the cost of maintenance of such adolescents I am directed to say that, as based on the figures for the year 1934, the cost per head per annum works out at Rs.310-2-0 in the case of the Borstal School at Tanjore and Rs.229-4-10 in the case of the Borstal School at Palamcottah. This includes both direct and indirect charges.

Data statements are enclosed.

I am to add that this figure is liable to variation in future years.

I have the honour to be,
Sir,
Your most obedient servant,

for JOINT SECRETARY.

M.A.D:-8-6-1935.

FIXING OF INDIRECT CHARGES.

OVERHEAD CHARGES OF THE INSPECTOR GENERAL AND HIS CENTRAL ESTABLISHMENT FOR CALENDAR YEAR

	Rs.	Rs.	
I. Inspector-General of Prisons. Pay for 1934.	27,065		Overhead charges of the Inspector-General & His Central Establishment - Rs.62,514/-
Pensionary contributions - Superior Services - Vide U.O.Note No.4995-C-30-8, Law (General), dated the 22nd May 1931.	2,205		
	-------	29,270.	Total for 11650.86 prisoners is Rs.62,514/-
I. Personal Assistant to the Inspr.Genl.of Prisons.- Pay for 1934.	8,491.		For 1 prisoner 62,514/11650.86 or Rs.5-5-10 or
Deduct 12½% on account of leave contribution on Rs.8491 (8491 - 1061) =Rs.7,430.			
9.3% pensionary contribution on Rs.7,430/-	696.		Rs.5-6-0 per head per annum.
	-------	9,187.	
III. Central Establishment. Pay for 1934.	22,453.		
Deduct 12½% on account of leave contribution on Rs.22,453 (22,453 - 2,807) =Rs.19,646.			
8-1/6% pensionary contribution on Rs.19,646/-	1,604.		
	-------	24,057.	

		62,514.	

Daily average number of prisoners at the Central and Dt.Jails and the Civil Jail, Madras - 11650.86.			

FIXING OF INDIRECT CHARGES.

CHARGES ON ACCOUNT OF THE MAINTENANCE OF BUILDINGS AT ½ % OF THE CAPITAL COST.

Jails.	Capital cost of Jail Buildings.	Maintenance charges at ½% of the capital cost.	Daily - average number of prison population.	Maintenance cost of buildings per head per annum.	Aggregate No. of days the prisoners were confined in Madras Jails.	Maintenance cost of - buildings for all prisoners.
	Rs.	Rs.		Rs.		Rs.
Borstal School, Tanjore	4,16,309	24.979	340.44	73.5.11	365 days	Rs 73.5.11
do Balance Hall	2.30.147.	13.809	321.75	42.14.7	do	Rs 42.14.7

FIXING OF INDIRECT CHARGES.
PENSIONARY CHARGES OF PERMANENT JAIL STAFF.

Pensionary charges of permanent jail staff at 8-1/3% of pay after deducting leave contribution at 12½% from the total cost of permanent establishment.

Jails.	Total cost of permanent establishment. Supdt., and subordinates.	8-1/3% of pay after deducting 12½% for leave contribution.	Daily average number of prison population.	Pensionary charges per head per annum.	Aggregate No. of days the prisoners were confined in Madras Jails.	Total pensionary charges recoverable.
	Rs.	Rs.		Rs.		Rs.
Borstal School Tanjore	29.980	2142.32½	340.44	6-4-8½	365	6-4-8
Borstal School Poolamedu	28,843	2061.07½	321.75	6-6-6½	365	6-6-6.

Cost of maintenance for 1934.

Direct charges.

(as per column 14 of statement No.IX Financial.)

Tanjore	Rs.	219	6 2
Palamcottah	Rs.	168	14 6

Indirect charges

Tanjore

Proportionate cost of buildings	Rs.	73	5 11
,, pensionary charges ...	Rs.	6	4 8
Overhead charges (Vide statement enclosed)		5	6 0
Cost of vegetables at 2 pies per day ...	Rs.	5	11 3
	Rs.	90	11 10

Palamcottah

Porportionate cost of buildings ...	Rs.	42	14 7
Pensionary charges	Rs.	6	6 6
Overhead charges (as stated above)	Rs.	5	6 0
Cost of vegetables at 3 pies per day		5	11 3
	Rs.	60	6 4

Total for Borstal School, Tanjore.				Total for B.S. Palamcottah			
Rs.	219	6	2	Rs.	168	14	6
Rs.	90	11	10	Rs.	60	6	4
Rs.	310	2	0	Rs.	229	4	10

S.N. 8

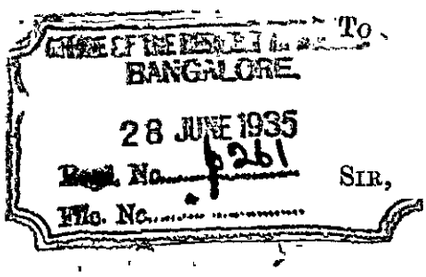
No. 1882-C-35.

Office of the District Magistrate,
Civil and Military Station, Bangalore.

Dated 21st June 1935.

FROM

F. R. Brislee, Esquire, I.C.S.,
DISTRICT MAGISTRATE, CIVIL AND MILITARY STATION,
BANGALORE.



To

Secretary to the Hon'ble the Resident
in Mysore, Bangalore.

SIR,

Accommodation of the adolescent offenders of the C. & M. Station in Borstal Schools - your letter No.F.122-35/R.O.I dated 2-4-1935.

I forward herewith statements showing the number of persons between the ages of 16 & 21 (both inclusive) sentenced to imprisonment during the last five years and the term of imprisonment undergone by each such person.

I have the honour to be,
Sir,
Your most obedient servant,

DISTRICT MAGISTRATE.

crc.d.22/6.

1930.

Statement showing the No. of adolescent offenders and the term of imprisonment undergone by each for the year 1930.

Sl.No.	C.C.No.	Offence.	Age.	No. of Persons.	Terms of Imprisonment.
1	2/30	380 I.P.C.	20	1	R.I. for 3 months.
2	12/30	380 "	20	1	R.I. for 1 month.
3	28/30	408 "	21	1	R.I. for 2 months.
4	35/30	379&75"	20	1	R.I. for 6 months.
5	57&58/30	369&379"	18	1	R.I. for 8 months.
6	59/30	379 "	18	1	R.I. for 1 week.
7	69/30	380 "	20	1	R.I. for 2 weeks.
8	85/30	381 "	20	1	R.I. for 1 month.
9	93/30	379 "	20	1	R.I. for 1 week.
10	95.30	379 "	18	1	R.I. for 6 weeks.
11	97,30	380&75"	20	1	R.I. for 6 months
12	107/30	380 "	20	1	R.I. for 1 month.
13	119/30	379 "	18	1	R.I. for 1 week.
14	122/30	381 "	20	1	R.I. for 1 month.
15	127/30	379&75"	18	1	R.I. for 6 weeks.
16	216.30	406 "	19	1	R.I. for 3 weeks.
17	251/30	380 "	16	1	R.I. for 2 weeks.
18	258/30	380 "	20	1	R.I. for 3 weeks.
19	259,30	451 "	20	1	R.I. for 2 weeks.
20	267,30	408 "	19	1	R.I. for 1 week.
21	312,30	380 "	18	1	R.I. for 3 weeks.
22	370/30	457&380"	20	1	R.I. for 1 month.
23	388,30	381 "	19	1	R.I. for 1 month.
24	389/30	380 "	20	1	R.I. for 1 month.
25	393,30	379&75"	19	1	R.I. for 3 months.
26	430/30	457&380"	18	1	R.I. for 2 weeks.
27	462,30	379 "	18	1	R.I. for 1 month.
28	551,30	380 "	20	1	R.I. for 1 month.
29	557,30	379&75"	17	1	R.I. for 1 month.
30	567/30	279 "	20	1	R.I. for 10 days.
31	572&574/30	379 "	20	1	R.I. for 3 weeks.
32	571 '30	380&75"	20	1	R.I. for 4 months.
33	580,30	379 "	18	1	R.I. for 2 weeks.
34	601/30	381 "	16	1	R.I. for 2 weeks.
35	12/30	236 Cant. 19 Act.		1	S.I. for two weeks.
		Total No. of persons		35	

28/6

District Magistrate

C & M. Station, Bangalore.

1931.

Statement showing the No. of adolscent offenders and the term of imprisonment undergone by each for the year 1931.

Sl. No.	C.C.No.	Offence.	Age.	No.of Persons.	Terms of Imprisonment.
1	28/31	379 I.P.C.	19	1	R.I. for 4 months.
2	55/31	380 "	16	1	R.I. for 2 months.
3	72/31	33 Ex.Regl.II	18	1	S.I. for 1 month& 1week.
4	83/31	454&380 I.P.C.	18	1	R.I. for 1 month.
5	86/31	403 "	19	1	R.I. for 1 week.
6	87&388/31	380 "	18	1	R.I. for 6 weeks.
7	120/31	380 "	19&16	2	R.I. for 2 months for each.
8	129/31	379 "	20	1	R.I. for 3 months.
9	146&147/31	379 "	16	1	R.I. for 4 months.
10	192/31	33(a)Ex.Regl.II	20	1	R.I. for 6 weeks.
11	197/31	354 I.P.C	17	1	R.I. for 2 weeks.
12	221/31	380 "	20	1	R.I. for 1 month.
13	229/31	380&75"	20	1	R.I. for 2 months.
14	266/31	380 "	16	1	R.I. for 6 months.
15	306/31	380 "	17	1	R.I. for 1 month.
16	336/31	454&75"	18	1	R.I. for 2 months.
17	385&391/31	380 "	20	1	R.I. for 9 weeks.
18	396/31	457&380"	18	1	R.I. for 6 weeks.
19	468/31	457&381"	20	1	R.I. for 3weeks.
20	520/31	454&475"	20	1	R.I. for 1 month.
21	558 31	457&380"	18	1	R.I. for 1 month.
22	596&597/31	379 "	16	1	R.I. for 3 weeks.
23	610/31	379&75 "	19	1	R.I. for 3 months
24	660/31	380&75 "	20	1	R.I. for 3 months
25	680/31	380 "	18	1	R.I. for 2 weeks.
26	686/31	380&75 "	20	1	R.I. for 2 months
27	687&690/31	380&75"	20	1	R.I. for 6 weeks.
28	689/31	379&75 "	20	1	R.I. for 1 month.
C.C.C.					
29	26/31	447	15	1	Imprisonment till the rising of court.
		Total No. of persons		30	

District Magistrate

C. & M. Station, Bangalore.

1932.

Statement showing the No. of adolescent offenders and the term of imprisonment undergone by each for the year 1932.

Sl. No.	C. C. No.	Offence.	Age.	No. of persons.		Term of Imprisonment.
1.	11/32	457 & 75	20	1		R.I. for 2 months.
2.	16/32	143 I.P.C.	20	2		R.I. for 3 months for each
3.	18/32	454 "	18	1		R.I. for 6 months.
4.	21/32	143 "	18 & 17	2		R.I. for 3 months & 1 month
5.	22/32	143 "	21 & 20	2		R.I. for 3 months for each
6.	23/32	143 "	19,18 & 20	3		R.I. for 3 months for each
7.	34/32	143 "	19	1		R.I. for 3 months.
8.	35/32	143 "	20	1		R.I. for 3 months.
9.	36/32	143 "	21	1		R.I. for 3 months.
10.	43/32	143 "	21 & 20	2		R.I. for 3 months each
11.	44/32	143 "	21,17 & 19	3		R.I. for 3 months each
12.	45/32	143 "	18 & 20	2		R.I. for 3 months for each
13.	53/32	143 "	19 & 20	2		R.I. for 6 months for each
14.	54/32	143 "	20	3		R.I. for 6 months for each
15.	55/32	143 "	20	1		R.I. for 6 months
16.	57/32	143 "	20,18,& 17	3		R.I. for 6 months for each
17.	62/32	143 "	20 & 18	2		R.I. for 6 months for each
18.	65/32	145 "	16 & 20	2		R.I. for 1 year for each
19.	76/32	145 "	20	1	1	R.I. for 2 years.
20.	77/32	145 "	19 & 17	2	2	R.I. for 2 years for each
21.	92/32	145 "	18	1	3	R.I. for 2 years.
22.	95/32	454 "	19 & 20	2		R.I. for 15 days for each
23.	101/32	381 "	18	1	4	R.I. for 2 months
24.	104/32	117 "	20	1	5	R.I. for 2 years.
25.	106/32	117 "	20	2	6	R.I. for 2 years for each
26.	113/32	145 "	17	1	7	R.I. for 2 years.
27.	115/32	145 "	20,21 & 18	3	8	R.I. for 2 years for each
28.	120/32 140 & 142/32	380 "	20	1	9	R.I. for 18 months.
29.	122 to 124	380 "	17	1		R.I. for 6 weeks.
30.	186	117 "	21	1	10	R.I. for 2 years.

1932.

Statement showing the No. of adolescent offenders and the term of imprisonment undergone by each for the year 1932.

Sl. No.	C. C. No.	Offence.	Age.	No. of persons.	Term of Imprisonment.
31.	268/32	381 I.P.C.	18	1	R.I. for 3 months.
32.	296-7	379 & 381 "	18	1	R.I. for 2 months.
33.	310/32	451 & 75 "	16	1	R.I. for 2 years.
34.	317/32	380 "	19	1	R.I. for 3 months.
35.	449/32	16c A.Act	20	1	R.I. for 2 weeks.
36.	544/32	379 & 75 I.P.C.	20	1	R.I for 18 months.
37.	583/32	447 "	18	1	R.I. for 1 month
38.	608 & 609/32	380 "	20	1	R.I. for 1 month
39.	619/32	379 "	19 & 17	2	R.I. for 3 weeks for each
40.	622 & 628/32	379 "	20	1	R.I. for 2½ months.
41.	631/32	381 "	18	1	R.I. for 1 month
42.	657/32	511 "	20	1	R.I. for 6 weeks.
43.	678/32	379 & 75 "	20	1	R.I. for 1 month
44.	687/32	457 "	18	1	R.I. for 1 month
45.	708/32	457 & 380 "	18	1	R.I. for 6 months
46.	715/32	379 "	19	1	R.I. for 6 months
47.	726/32	451 & 75	18	1	R.I. for 2 months.
48.	770/32	379 "	20	1	R.I. for 1 month
49.	777/32	408 "	20	1	R.I. for 4 months.
50.	791/32	457 & 380 "	16	1	R.I. for 6 months.
51.	173/32	380 & 75 "	16	1	R.I. for 4 months.
52.	95/32	379 "	21	1	R.I. for six months
	Total No. of persons			74	

6 + 1

DISTRICT MAGISTRATE.

1933.

Statement showing the No. of adolescent offenders and the term of imprisonment undergone by each for the year 1933.

Sl.No.	C.C. No.	Offence.	Age.	No of Persons	Term of Imprisonment.
1	14/33	451 I.P.C	19	1	R.I. for two years.
2	56/33	379&75 "	20	1	R.I. for one year.
3	75&76/33	379 "	18	1	R.I. for 4 months.
4	211/33	456&75 "	20	1	R.I. for three months.
5	221 to 227	457 & 75"	20	1	R.I. for 1 year and 9 months.
6	272	381 "	20	1	R.I. for six weeks.
7	289 to 298	380 & 451	18	1	R.I. for 1 year and 10 months.
8	310	380 "	18	1	R.I. for four months.
9	315	309 "	20	1	S.I. for three months.
10	395 to 397 & 418	379 & 75	21	1	R.I. for six months.
11	408/33	454 & 381"	20	1	R.I. for one month.
12	464/33	369 & 379	20	1	R.I. for six months.
13	595/33	224 I.P.C.	20	1	R.I. for one month.
14	9/33	379 "	16	1	Imprisonment till the rising of the Court.
15	11/33	112 & 32 Ry. Act	15	1	Imprisonment till the rising of the Court.

Total No. of persons 15

12+3

28/6

District Magistrate
C. & M. Station, Bangalore.

1934.

Statement showing the No. of adolescent offenders and the term of imprisonment undergone by each for the year 1934.

Sl.No.	C.C. No.	Offence.	Age.	No of persons.	Term of imprisonment
1	15/43	381 I.P.C	20	1	R.I. for one month.
2	44/34	454&380 "	18	1	R.I. for one year.
3	45&47/34	"	18	1	R.I. for 1 year.
4	49/34	379 & 75	16	1	R.I. for six months.
5	215, 34	379&75	18	1	R.I. for two years.
6	252/34	-do-	17	1	R.I. for 3 months.
7	304/34	379	20	1	R.I. for 3 months.
8	309/34	52. B.P.L	17	1	Till the rising of the court.
9	344/34	457&380"	20	1	R.I. for one month.
10	388/34	369&379	20	1	R.I. for one year.
11	398/34	380	16	1	R.I. for 2 weeks.
12	412/34	369 "	17	1	R.I. for one year.
13	426/34	420 "	20	1	R.I. for one month.
14	442&46[illegible]	457&380	17,17	2	R.I. for 6 months for each.
15	490	380&375"	18	1	R.I. for 4 months.
16	595/34	420 "	20	1	R.I. for one year.
17	596/34	379 "	20	1	R.I. for six weeks.
18	359/34	379 & 75	16	1	Till the rising of the court.
19	336/34	420 "	16	1	R.I. for two weeks.

TOtal No. of persons 20

District Magistrate
C. & M. Station Bangalore.

S. N. O

-1

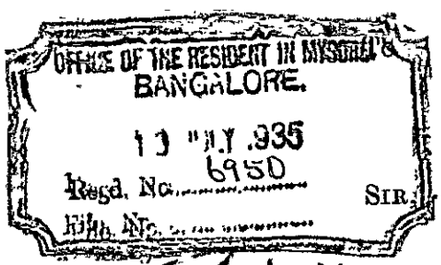
No.3933-C-35. Enc. 2

Office of the District Magistrate,
Civil and Military Station, Bangalore.

Dated 13th J u l y 1935.

FROM

F. R. Brislee, Esquire, I.C.S.,
DISTRICT MAGISTRATE, CIVIL AND MILITARY STATION,
BANGALORE.



The Secretary
to the Hon'ble the Resident in Mysore,
BANGALORE.

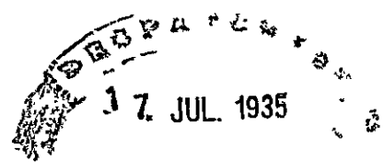
I forward herewith a copy of Judgment passed by Munsiff-Magistrate, C & M Station, Bangalore, in C.C.456 to 458/35 on the file of his court and of his remarks in passing the Judgment and request to be informed what action can be taken at present by a court under the Borstal Schools Act in pursuance of the Resident's Notification No.1/F 1018-34 dated 5-1-35.

I have the honour to be,

Sir,

Your most obedient servant,

DISTRICT MAGISTRATE.



In the Court of the District Munsiff & First Class Magistrate,
Civil and Military Station,Bangalore.

--

Dated Wednesday the 19th day of June 1935.

--

Before:- Rao Bahadur K.V.Kunniranam Nair Avl., B.A.,
Munsiff Magistrate.

--

Criminal Case Nos. 456,457 & 458 of 1935.

Complainant		Accused:-
King Emperor	Vs.	1. Subramaniam. 2. Appa.

Judgment.

These are three of the seven charge sheets filed by the Sub Inspector of Police, B/4 Station, against the two boys Subramaniam and Appa for having committed offences under section 379 I.P.C.

2. The prosecution examined 8 witnesses on the whole. P.W.1 Mrs. Munro who resides in No.11 Stephenson Road, had hung a silk frock for drying on a wire in her compound on 18-5-1935. When she hung it, it was a quarter to 2. At about 2 P.M. it was missing. She reported the matter to the police. On 31-5-35 the Police showed the frock M.O.1 to her and she identified it as hers. It is worth Rs.8/-. P.W.2 Mrs.Palmer lives in No.14 Clarks Road, Richards Town. On 23-5-35 at 12 noon she hung up 2 pairs of knickers, 2 frocks, a petty coat and some small clothings for drying on a wire in her compound. At quarter to 2 they were missing. She also lodged a complaint with the Police. On 31-5-35 the Police showed her one lady's dress and two pairs of knickers M.Os. 2 to 4. She identified them as hers. P.W.3 Lt.Col.D.Kamat (Retired) lives in Richards Town. The ladies of his family hung 4 sarees for drying in the day time on 21-5-35. In the night it was reported to him that they were missing. He gave intimation to the Police. Subsequently on the 1st June '35 the Police brought M.Os. 5 to 8 the 4 sarees which he identified as his. The accused had also come with the Police. P.W.4 is a dealer in second hand goods. The two accused sold M.Os.1 to 4 and two other female dress for Rs.1-1-0. The Police came with the accused and seized M.Os. 1 to 4. The two other garments he had

had already disposed of. P.W.5 is an aged woman residing in Motucherry. The sarees M.Os. 5 to 7 were pledged by the two accused with her for Rs.1-8-0. Two of them, M.Os. 5 and 6 , she pledged with a marwadi, P.W.6 for Rs.2/-. The Police seized M.O.7 from her and she pointed out the marwari to the Police from whom they seized M.Os. 5 and 6. The accused had accompanied the Police to her house. P.W.6 is the marwadi with whom P.W.5 had pledged M.Os. 5 and 6 on 28-5-35 for Rs.2/-. The police seized them on 31-5-35. P.W.7 is another Panchamma woman to whom the two accused sold the saree M.O.8 for Rs.1-4-0. Three days after the Police went with the accused and seized the saree. P.W.8 is the head constable attached to B4 Station The 1st accused was arrested by P.C.172 suspecting that he had stolen a time piece. This was on 29-5-35. He was questioned at the Station. Then he mentioned A2 as his accomplice. A2 was arrested on 30-5-35. When both of them were questioned they pointed out P.W.4 from whom M.Os. 1 to 4 were recovered. These two accused also showed the bungalows of P.Ws.1and 2 from where they had stolen them. P.Ws 1 and 2 to whom the articles were shown identified them. The accused again pointed out the witness P.W.5. The saree M.O.7 was recovered from P.W.5 and P.W.5 pointed out the shop of P.W.6 from where M.Os. 5 and 6 were seized. They also pointed out P.W.7 who produced M.O.8. The two accused - pointed out the bungalow of P.W.3 from where they said they had stolen the sarees and P.W.3 identified the M.Os 5 to 8.

3. The accused readily admitted having stolen the various articles and they pleaded guilty to three sets of charges under section 379 I.P.C. for having stolen M.Os. 1 to 8 from the bungalows of P.Ws. 1,2 and 3 on different dates. I, therefore, find both of them guilty of the three charges framed under section 379 I.P.C. A2 has a previous conviction to his credit under section 380 I.P.C by this court on 27-11-29 in C.C.No.513 of 1929 when he was admonished and let off under section 562(A) C.P.C. He admits the conviction which is in force and pleads guilty to a charge framed against him under section 75 I.P.C. I,therefore, find the 1st

1st accused guilty of the three charges under section 379 I.P.C. and the 2nd accused guilty of the three charges under sections 379 and 75 I.P.C. and convict them. The 1st accused is certified to be about 17 years and the 2nd accused about 15 years. The 2nd accused being 15 years is a youthful offender as defined in section3 of the Madras Children Act IV of 1920. This act have been extended to the Civil and Military Station, Bangalore, under a notification of the Government of India. There are not only these three charge sheets against A2 but there are three others pending and he has besides a previous conviction for an offence under Chapter XVII of the Indian Penal Code. I consider that the 2nd accused is a fit person to be detained in a Senior Certified School. Therefore, in lieu of sentencing him according to law to the punishment provided for, I order that the 2nd accused he sent to a Senior Certified School and detained there for a period of three years from this date, i.e., he will be detained until he attains the age of 18. As regards the 1st accused, he is certainly as bad as, if not worse than the 2nd accused. He has four other charges sheets pending against him and besides he has a conviction by the Bangalore City Court which, of course, cannot be proved for purposes of Section 75, I.P.C. By reason of his Criminal habits or tendencies, I consider that he is a fit person to be detained in a Borstal School. But the Borstal School to which such kinds of prisoners are to be sent has not yet been fixed by the Local Government. The 1st accused will therefore, be sentenced to two years rigorous imprisonment in the aggregate, i.e., eight months for each of the charges, the sentences to run consecutively. He will be detained in a special ward until his transfer to a Borstal School which will be decided later on by the Local Government.

The material objects before the Court will be handed over to P.W.s 1 to 3.

Pronounced in open Court this 19th day of June 1935.

Sd, K.V.K. Nair,

Munsiff Magistrate.

C.C.Nos. 456 to 458/35.

Remarks in passing the Judgment.

Though the Borstal Schools Act has been extended to Civil and Military Station, Bangalore, yet I have not been empowered to deal with youthful offenders under the Act and further the name of the school to which such offenders should be sent has not been notified. The 1st accused, who has been certified to be 17 years of age (though he appears to be younger) could not be dealt with under the said Act and so has been sentenced to two years' R.I. in the aggregate with a recommendation to the jail authorities that he may be kept in a special ward until under orders of the Local Government, he is transferred to a Borstal school. The question may be taken up when the place where such offenders ought to be sent to has been notified by the Local Government.

Sd/- K.V.K.Nair,
MUNSIFF-MAGISTRATE.

Copy.

Sheristadar.

S. N. 11

No. F.122-35 / R.O. I

Issued KRW 5.9.35.

From

The Hon'ble Lieut. Colonel C. T. C. Plowden, C.I.E.,
Resident in Mysore.

To

The Political Secretary to the Government of India,
Foreign and Political Department.

Dated Bangalore, the 5th ~~August~~ Sept. 1935.

Accommodation in the Borstal Schools in the Madras Presidency of adolescent offenders of the Civil and Military Station, Bangalore.

Sir,

I have the honour to refer to Foreign and Political Department letter No. F.57(3)-I.B/34, dated the 28th November 1934, in which the Government of India sanctioned additional expenditure from the Revenues of the Mysore Assigned Tract for the accommodation and training of juvenile offenders of the Civil and Military Station of Bangalore in Certified Schools in the Madras Presidency. The Government of Madras were subsequently asked whether they could provide similar accommodation in Borstal schools in the Madras Presidency for adolescent offenders of the Station; and they have now agreed to accommodate them in the Borstal school at Palamcottah, where the services of a trained Kanarese teacher are available. The cost works out, as shown in the data statements enclosed, to Rs.229-4-10 per head per annum. This figure, however, is reported to be liable to variation in future years.

S.N.4 c.p.10 F.1018-34

S.N.4 c.p. 5

S.N.6 c.p.7

2. On the basis of the number of adolescent offenders convicted during the past five years, accommodation is likely to be required for an average number of 35 adolescents each year. Detention in Borstal schools is for a period of not less than two years but does not exceed a maximum of five years. I enclose a statement showing the comparative cost involved, both under the existing Jail

system

system and under the proposed Borstal school system. Expenditure under the Borstal school system would be cumulative during the first two or more years. During the past five years, however, there has been no case of an adolescent offender sentenced to imprisonment for more than two years. It is fairly certain therefore that the amount estimated on the basis of detention for the maximum period of five years will never be reached. Expenditure normally is not likely to be far in excess of the minimum of Rs.16,051/- per annum. The amount involved will be met from the Assigned Tract Revenues.

3. I request that the Government of India may be pleased to accord sanction to incur expenditure on the above basis for the accommodation and training of adolescent offenders of the Civil and Military Station of Bangalore in Borstal schools in the Madras Presidency.

4. The expenditure likely to be incurred in the current year is not expected to exceed Rs.1,000/-. If this amount cannot be met by reappropriation, the item will be included in the statement of excess and savings which will be submitted to the Government of India in the course of the year.

I have the honour to be,

Sir,

Your most obedient servant,

O/C

Lieut. Colonel,

R E S I D E N T.

BJ

Statement showing the expenditure on account of adolescent offenders under the existing Jail system and the proposed Borstal School system.

Average No. of adolescent offenders a year.	Under the Jail system.			Under the Borstal school system		
	Average Rate of expenditure per head per annum.	Annual Expenditure if detention is for 2 years.	Annual Expenditure if detention is for 5 years.	Rate of expenditure per head per annum.	Annual Expenditure if detention is for 2 vrs	Annual Expenditure if detention is for 5 years.
35	Rs as ps 123 6 1 Cov. 1 & F.122-35 (A)	Rs as ps ~~12954 0 0~~ 8,636 - 0 - 0	Rs as ps ~~64770 0 0~~ 21,592 " "	Rs as ps 229 4 10 S.N 6 of F12-35 (1) 1.7 (A)	Rs as ps ~~24075 0 0~~ 16051 - " "	Rs ~~1,20,375/-~~ 40, 128 -

Total number of total expenditure during the last five (2000-04) yrs } 17 Rs.

Average number per year. 35

Expenditure under the Jail system.

Average cost per person per annum } Rs. 123-6-1.

Do - for 35 persons (35 x 123-6-1) Rs 4318-4.

Annual Do - for a period of 2 yrs. duration (2 x 35 x 123-6-1) } Rs 8636

Do - Do for 5 yrs. duration (5 x 35 x 123-6-1) } Rs 21,591-4

Expenditure under the Borstal system.

Average cost per person per annum Rs 229-4-10.

Do for 35 do. (35 x 229-4-10) Rs 8025-9-2.

Annual average cost for 35 for a duration of 2 yrs. (2 x 35 x 229-4-10) Rs 16051-4.

Do. 5 yrs. (5 x 35 x 229-4-10 Rs 40,128.

S. N. U.

30

Draft I

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft ~~Letter~~ ~~Memorandum~~ ~~Telegram~~

Ordinary
Express
Urgent*
Priority
Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

No. F.122/35 Dated 17/8 ~~July~~ Aug. 1935

Class for telegrams

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

To

The Secretary to the Govt. of Madras, Law(General) Deptt.

Subject:- Accommodation in the Borstal Schools in the Madras Presidency of adolescent offenders of the C. & M. Station of Bangalore.

Sir,

I am directed to refer to your letter No. 1942 ~~MiS~~. , dated the 8th June 1935, and to say that the Hon. the Resident accepts the offer of the Govt. of Madras for accommodation in the Borstal School at Palamcottah of the adolescent offenders of the C. & M. Station of Bangalore, subject to the approval of the Govt. of India (who have been addressed in the matter) of the financial arrangements involved.

I have etc.,

Secretary

Copy to the District Magistrate, C. & M. Station, Bangalore, for information, with reference to the correspondence ending with his letter No. ~~1882~~-C. 35, dated the ~~31st June~~ 13th July 1935.

S. 5.
MGIPC—S1—158(Genl)MFP—(M-1933)—3-5-34—50,000 Pads.

S. N. 14. 42

No.F.209-I.B./35.

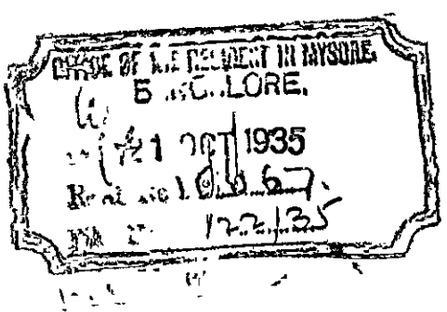
From

The Deputy Secretary to the Government of India
in the Foreign and Political Department,

To

The Hon'ble the Resident in Mysore.

Dated Simla, the 17th October 1935.



Accommodation in the Borstal Schools in the Madras Presidency of adolescent offenders of the Civil and Military Station of Bangalore.

.....

Sir,

N. 11
26

With reference to your letter No.F.122-35/R.O.I, dated the 5th September 1935 on the above subject, I am directed to convey the sanction of the Government of India to your proposal for the transfer to a Borstal School in the Madras Presidency of adolescent offenders of the Civil and Military Station of Bangalore. I am also to convey sanction to additional expenditure being incurred, as set forth in your letter under reply, on the understanding that it will be met entirely from the Revenues of the Assigned Tract.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Secretary to the Government of India.

S.N.15

Draft I Issued 26.11

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams Ordinary / Express / Urgent* / Priority / Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

No. F.122/35 Dated 26 Nov. 1935

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

× S.N.12 (1)

Corr: 30

To

The Secretary to the Govt. of Madras, Law (General) Deptt.

Subject:- Accommodation in the Borstal Schools in the Madras Presidency of adolescent offenders of the C. & M. Station of Bangalore.

Sir,

I am directed to refer to the correspondence ending with my letter No.F.122/35., dated the 17th August 1935, and to say that the Govt. of India have accepted the proposal for the accommodation of the adolescent offenders of the C. & M. Station of Bangalore in the Borstal School at Palamcottah. I am therefore to request that if there is no objection, necessary orders may kindly be issued to the authorities concerned.

I have etc.,

18/11

Secretary

15/11

To

The District & Sessions Judge, C. & M. Station, Bangalore.

The District Magistrate, C. & M. Station Bangalore, in continuation of his letter from this Residency No. F.122/35, dated the 17th August 1935 (with copy of the Residency letter to the Govt. of India No. F.122/35, dated the 17th August &35 and date thereunto)

Notification

S. S.

MGIPC—S1—158(Genl)MFP—(M-1933)—3-5-34—50,000 Pads

× (4)

S.N.11

26-7

§ Con- Mh 8-11 (A)

Note to add Con in original

§

and data statements). It is requested that the necessary proposals for the reappropriation of ~~xxxx~~ funds in the current year and in 1936-37 may be submitted to this Residency in due course. If reappropriation is not possible, the item should be included in the statement of exeess and savings

Typed WPS 20/X

Ue:
6/XI.

P.T.O

S.N. 16

F 122-35 & 26-11-35

R.O.I

Proceedings of the Hon. the Resident in Mysore.

Order

Under section 6 of the Madras Borstal Schools Act, 1925, as applied to the C. & M. Station of Bangalore, the Hon. the Resident is pleased to empower the Munsif Magistrate of the C. & M. Station of Bangalore to exercise all the powers conferred on a Court by the said Act.

Secretary to the Resident

To

The District Magistrate
The District and Sessions Judge,
The Munsif Magistrate through The District Magistrate,

C.& M.Station, Bangalore

F-122-35 & 26-4-35
R.O.I

Proceedings of the Hon. the Resident in Mysore

Order

Under sections 3 & 12 of the Madras Borstal Schools Act, 1925, as applied to the C. & M. Station of Bangalore, the Hon. the Resident directs that any adolescent offender directed by a Court in the C. & M. Station of Bangalore to be sent to a Borstal School shall be sent to the Borstal School at Salamcottah in the Madras Presidency.

Secretary to the Resident

To

The District Magistrate
The District & Sessions Judge
The Munsif Magistrate through
The District Magistrate,
C. & M. Station, B'lore

S.N. 18

Sectt. II-14—3,000—16-7-35.

FORT ST. GEORGE,
~~OOTACAMUND,~~

7th December 1935.

From

C. Govindan Nair Esq., Bar-at-Law,

Joint SECRETARY TO THE GOVERNMENT OF MADRAS,
Law (General) DEPARTMENT,

To

THE Hon'ble the Resident in Mysore,

Bangalore.

SIR,

I am directed to forward the enclosed proceedings of the Madras Government, No. MS.3865, dated the 7th December 1935.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
10 DEC. 1935
Regd. No. 11891
File. No. .....

I have the honour to be,
Sir,
Your most obedient servant,

Joint Secretary.

SA-18

GOVERNMENT OF MADRAS

Secott. II-15 (b)—16,500—11-10-33.

Received.....193 *Registered*.....193

Abstract.

Borstal Palamcottah - Accommodation of ~~and~~ adolescent offenders of the Civil and Military Station, Bangalore.

Law (General) DEPARTMENT.

G.O. No. MS.3865. dated 7th December 1935.

ENCLOSURES.

No.

READ the following paper :—

G.O.(MS) No.1942 Law (General), dated 8th June 1935.

Endorsement No.4556-C-1 Law (General), dated 26th August 1935.

From the Secretary to the Hon'ble the Resident in Mysore, No.F.122-35, R.O.I. dated 26th November 1935.

× SM.16 (A) Page 35.

O R D E R :-

Communicated to the Inspector General of Prisons for necessary action.

(By Order of the Governor in Council)

C.Govindan Nair,
Joint Secretary to Government.

To the Inspector General of Prisons, with encls.
Copy to the Hon'ble the Resident in Mysore, with C.L.
To the Finance Department.)
To the Accountant General.) with enclosures.

Forwarded.
(By Order)

Superintendent. 15/11/35